

**SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF**

April 7, 2006

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by John Euphrat, Hearing Officer.

The following action minutes are listed as they were acted upon by the Hearing Officer of the Planning Department Hearings and as listed on the agenda for the Regular Meeting of April 7, 2006, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD

None

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for hearing to consider a request by **JILL BOLSTER-WHITE AND JAMES WHITE** for a Minor Use Permit/Coastal Development Permit to allow a new 2,533 square foot single family residence, a detached 362 square foot guesthouse, a detached 811 square foot garage and conversion of an existing residence to farm support quarters. The project will result in the disturbance of approximately 10,000 square feet of a 67 acre parcel. The proposed project is within the Agriculture land use category and is located at 2580 Jacaranda Lane 3000 feet south of Los Osos Valley Road, 2 miles east of the community of Los Osos. The site is in the Estero planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 24, 2006 for this project. Mitigation measures are proposed to address aesthetics, biological resources, cultural resources, geology, water, and land use and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File Number: DRC2005-00051

Assessor Parcel Number: 067-171-012

Supervisorial District: 2

Date Accepted: January 6, 2006

Kerry Brown, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through O in Exhibit A and subject to Conditions 1 through 31 in Exhibit B. (Document No. 2006-242)

2. This being the time set for hearing to consider a request by **CAMPBELL/NEXTEL COMMUNICATIONS** for a Minor Use Permit/Coastal Development Permit to allow the construction and operation of an unmanned wireless telecommunications facility consisting of eight 4-foot panel antennae located on 8-foot poles in two sectors, a 4-foot microwave dish, and associated ground

mounted equipment and emergency generator located on a cantilevered platform. The project will result in the disturbance of approximately 800 square feet of an approximately 182 acre parcel. The project site is within the Agricultural land use category and is located at 2983 Clark Valley Road, southeast of the community of Los Osos. The site is in the Estero planning area. This project is exempt under CEQA.

County File No: DRC2005-00065

Assessor Parcel Number: 067-132-016

Supervisory District: 2

Date Accepted: February 6, 2006

Marsha Lee, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through O in Exhibit A and subject to Conditions 1 through 26 in Exhibit B. (Document No. 2006-243)

3. This being the time set for hearing to consider a request by **POLLARD/NEXTEL-SPRINT COMMUNICATIONS** for a Minor Use Permit/Coastal Development Permit to allow the construction and operation of an unmanned wireless telecommunications facility consisting of six 4-foot panel antennae flush mounted in three sectors painted to match an existing water tank and a 240 square-foot equipment shelter. The project will result in the disturbance of approximately 900 square feet of an approximately 10.93 acre parcel. The project site is within the Residential Multi Family land use category and is located at 350 N. Ocean Avenue in the community of Cayucos. The site is in the Estero planning area. This project is exempt under CEQA.

County File No: D030120P

Assessor Parcel Number: 064-481-012

Supervisory District: 2

Date Accepted: January 20, 2006

Marsha Lee, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 34 in Exhibit B. (Document No. 2006-244)

4. This being the time set for hearing to consider a request by **RICHARD WEST** for a Minor Use Permit/Coastal Development Permit to allow the construction and grading of a 2,100 square foot pad for an agricultural/garden planting area adjacent to an approved single-family residence. The project consist of grading with approximately 147 cubic yards of cut and 540 cubic yards of fill disturbing approximately 9,000 square feet of the approximately 1 acre site. The proposed project is within the Agriculture land use category and is located at 18710 Cabrillo Highway on the east side of Highway One, approximately 3/4 mile south of Ragged Point Inn, approximately 15 miles north of the San Simeon Village area in the North Coast planning area. This project is exempt under CEQA.

County File No: DRC2005-00079.

Assessor Parcel Number: 011-021-010

Supervisory District: 2.

Date application accepted: March 2, 2006

Marsha Lee, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 20 in Exhibit B. (Document No. 2006-245)

5. This being the time set for hearing to consider a request by **FISCALINI/CINGULAR WIRELESS** for a Minor Use Permit/Coastal Development Permit to allow the construction and operation of an unmanned wireless telecommunications facility consisting of a replacement of an existing water tank (6'4" high, 8' 4" diameter) with a 12' high by 10' diameter water tank, nine equipment cabinets. Four antennas are proposed inside the top extension of the tank. The project will result in the disturbance of approximately 1000 square feet of an approximately 20.14 acres parcel. The project is within the Agriculture Land Use Category and is located at 300 Highway 1, approximately 1 mile from the intersection of Highway 46, south of the community of Cambria. The site is in the North Coast Planning Area. This project is exempt under CEQA.

County File No: DRC2004-00159

Assessor Parcel Number: 013-181-019 & 022

Supervisory District: 2

Date Accepted: September 1, 2005

Marsha Lee, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 25 in Exhibit B. (Document No. 2006-246)

6. This being the time set for hearing to consider a request by **RICHARD SAUERWEIN** for a Minor Use Permit to allow a new 5,956 single-family residence with attached garage. The project will result in the disturbance of approximately 5,500 square feet of a 10 acre parcel. The proposed project is within the Agriculture land use category and is located at 1301 Little Morro Creek Road approximately 1 mile northeast from the City of Morro Bay. The site is in the Estero planning area. Also to be considered at the hearing is will be approval of the Environmental Document prepared for the project. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 24, 2006 for this project. Mitigation measures are proposed to address biological resources, geology, public services, and land use and are included as conditions of approval. Anyone interested in commenting or receiving a copy of the proposed Environmental Determination should submit a written statement. Comments will be accepted up until completion of the public hearing(s).

County File Number: DRC2005-00042

Assessor Parcel Number: 073-051-023 & 025

Supervisory District: 2

Date Accepted: January 13, 2006

Kerry Brown, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit is granted based on Findings A through O in Exhibit A and subject to Conditions 1 through 18 in Exhibit B. (Document No. 2006-247)

7. This being the time set for hearing to consider a request by **KLAUS HOFFMAN** for a Minor Use Permit to allow a 1,600 square foot storage building to an existing car lot. The project will result in the disturbance of approximately 5,000 square feet of a 12,250 square foot parcel. The proposed project is within the Commercial Service land use category and is located at 22705 El Camino Real Road in the community of Santa Margarita. The site is in the Salinas River planning area. This project is exempt under CEQA.

County File No: DRC2005-00074

Assessor Parcel Number: 069-061-006

Supervisory District: 5

Date Accepted: January 31, 2006

Josh LeBombard, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through F in Exhibit A and subject to Conditions 1 through 12 in Exhibit B. (Document No. 2006-248)

8. This being the time set for hearing to consider a request by **DOUG MITCHELL** for a Minor Use Permit to allow modification of the size of a secondary dwelling from 800 square feet to 1,200 square feet on a 4.84 (net) acre parcel. The Minor Use Permit is also to allow modification of the limitation on the maximum distance requirement of a secondary dwelling from a primary dwelling from 50 feet to approximately 210 feet. The proposed project is within the Residential Rural land use category and is located on the west side of Hetrick Street (at 1050 Hetrick Street), approximately 1.5 miles north of the community of Nipomo. The site is in the South County (Inland) planning area. This project is exempt under CEQA.

County File No: DRC2005-00100

Assessor Parcel Number: 091,131,056

Supervisory District 4

Date Accepted: December 21, 2005

Stephanie Fuhs, Project Manager

MINUTES:

Thereafter, on motion of the hearing officer, the Minor Use Permit is granted based on Findings A through H in Exhibit A and subject to Conditions 1 through 16 in Exhibit B. (Document No. 2006-249)

HEARING ITEMS:

9. This being the time set for hearing to consider a request by **VINEYARD CHRISTIAN FELLOWSHIP** for a Minor Use Permit/Coastal Development Permit to allow the relocation of an existing approximately 1,800 square foot single story residence from 4978 Windsor in the community of Cambria to 1633 Main Street in the community of Cambria, and remodel the structure to become a two story 3,600 square foot office for the Vineyard Christian Fellowship. The project will result in the disturbance of approximately 10,380 square feet of a 3.5 acre parcel. The proposed project is within the Commercial Retail land use category and is located at 1633 Main Street in the community of Cambria. The site is in the North Coast planning area. This project is exempt under CEQA.

County File No: DRC2005-00146

Assessor Parcel Number: 013-221-029

Supervisory District 2

Date Accepted: February 28, 2006

Ryan Hostetter, Project Manager

MINUTES:

Hearing Officer: John Euphrat

Others: Dick Morse, neighbor; Mike Lyons, owner of adjacent property; Becky Adams, agent for owners of Seven Sisters Emporium; Tom Kratuhvit and Rev. Christine Kratuhvit, neighbors and owners of Seven Sisters Emporium; Tim Tomlinson, Public Works.

Dick Morse, neighbor, asks about CEQA and what it stands for.

Hearing officer states Ms. Hostetter, the project manager, will cover this when she presents the project.

Ryan Hostetter, project manager, explains the purpose of the California Environmental Quality Act. Ms. Hostetter then presents the project, and addresses concerns received in a letter from Mr. Tom Kratuhvit, concerning drainage due to impervious surfaces. Cites issues with the proposed project, including drainage. States the project is mainly to move a house that was slated for demolition. This

permit process is to move the house from the Park Hill area and donate it to the church and move it for possible use by the church as an office.

Mr. Morse asks if there are overall plans to show how the house will integrate with the future church.

Ms. Hostetter states there are no overall plans at this time. States the way it is currently designed, staff wanted to design it so the permit would remain as a stand alone use.

Mr. Morse asks for clarification that if the church were to be built, would the house would remain where it is and become an integral part of the ultimate plan.

Ms. Hostetter answers yes.

Hearing officer asks about front of the property on Main Street. Asks if it is owned by the church. There is discussion of the easement.

Tim Tomlinson states there was a development plan for development of the whole property at one time, which expired.

Mike Lyons states he and Dick Morse are the owners of the property on the west side of the easement.

Hearing officer asks if the applicant is present. Ms. Adams replies, stating she is the agent for the owners of Seven Sisters Emporium. Hearing officer states Ms. Hostetter received a call from the designer of the project. Ms. Hostetter states the project may be continued to confirm whether or not the applicant will be able to follow through with the project.

Mr. Morse asks if everyone may still address their concerns while everyone is here.

Hearing officer states this is acceptable.

Mr. Lyons asks Ms. Hostetter to explain the proposed drainage plans.

Mr. Tomlinson states there is not an adequate drainage plan at this time. He describes the drainage swell concerns. He indicates the original plans included a retention basin at the rear of the property near the church to intercept the water coming off the hill, and states that plan is now defunct. States when additional plans are submitted for the church, those plans will be reviewed, and discusses a possible drainage plan for installation around the asphalt parking lot.

Mr. Lyons states he and neighbors have had minor drainage problems to date, but they are concerned with the possibility of additional drainage from this project.

Mr. Morse asks if there is a provision for drainage beneath the street.

Mr. Tomlinson answers no. States this is strictly for utilities. Refers to a street map and indicates location of proposed drainage location options.

Reverend Kratuhvit presents photos for the record. Indicates she and her husband have installed drainage onto their own property, which drains into a small creek on the side. She indicates damage to their property last year from drainage. She is concerned with any further drainage problems.

Mr. Lyons asks if the applicant reapplies will requirements of the North Coast Area Plan be applied to the application, particularly to the 25 foot height limit?

Ms. Hostetter responds the height limit is already set at 25 feet.

Becky Adams, agent for the Kratuhvits, asks about the under 10% slope. Is there a requirement from a civil engineer or does proof need to be provided later?

Ms. Hostetter responds, indicating the location of the project is definitely less than 10%.

Reverend Christine Kratuhvit cites further concerns with drainage issues.

Mr. Morse asks when the church and parking lot are built, will part of the plan show the composition of the parking area to include provisions for drainage.

Mr. Tomlinson responds with a yes.

Ms. Hostetter states the County will monitor the project.

Reverend Kratuhvit asks who is liable for the drainage that is already there.

Mr. Tomlinson responds that everyone is responsible for their own property. States since it's been there five years or more, and it's caused naturally, the church is not liable.

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is CONTINUED to May 5, 2006.

10. This being the time set for hearing to consider a request by **VISTA ROBLES LLC** for a Lot Line Adjustment (COAL 05-0239) and concurrent Conditional Use Permit. The lot line adjustment will adjust the lot lines between two parcels of 39,025 square feet and 64,438 square feet acres each. The adjustment will result in two parcels of 37,732 square feet and 70,731 square feet each. The Conditional Use Permit is to allow the construction of approximately 5, 000 square foot retail grocery market with a deli and outdoor patio seating. The project will result in the disturbance of approximately 20,000 square feet of a 1.5 acre site. The proposed project is within the Recreation land use category and is located on the northwest corner of Willow Road and Pomeroy Road in Blacklake Village northwest of the community of Nipomo, in the South County (Inland) planning area. The Environmental Coordinator finds that the previously adopted Negative Declaration (ED01-407) is adequate for the purposes of compliance with CEQA because no substantial changes are proposed in the project which will require revision of the previously adopted Negative Declaration, no substantial changes have occurred with respect to the circumstance under which the project is undertaken which will require revision of the previously adopted Negative Declaration, and no new information of substantial importance has been identified which was not known at the time that the previous Negative Declaration was adopted.

County File No: SUB2005-00050& DRC2004-00271

Assessor Parcel Number: 091-246-016 & 021

Supervisory District: 4

Karen Nall, Project Manager

Date Accepted: September 23, 2005

MINUTES:

Hearing Officer: John Euphrat

Others: Greg Nester, agent for applicant; Richard Herman, architect; Dale Ramey, Public Works.

Karen Nall, project manager, presents project. States a letter was received from the Black Lake group requesting denial. Indicates the project has been conditioned for those concerns.

Greg Nester, developer and manager of Vista Robles LLC, states he has reviewed the conditions of approval and is in agreement with all conditions. Explains his reasons for requesting the Lot Line Adjustment are for better maintenance of the area. He questions the conditions of approval for the proposed market, asking how rigid and what the intent is of limiting the 2nd story architectural component (35' limitation). Mr. Nester refers to the plans drawing. He discusses visual effects and proposed uses of the upper level, which are intended for mostly storage. States he does not agree with the blockage of the frontage from view. States he will comply with the conditions, however. He then addresses Willow Road improvements. He questions Condition 9a.

Dale Ramey, Public Works, discusses development of Willow Road. He indicates there could be reimbursement for the applicant at some point. He states there is no specific plan in place. He then discusses road improvement fees, and the possibility of defraying some of those costs. Asks Mr. Nester when the road will be built. There is further discussion.

Mr. Nester indicates he will proceed with all road improvements once the project is approved.

Mr. Ramey addresses a detention pond. He indicates Public Works would be OK with Mr. Nester's proposed intentions regarding the road as long as Public Works does not have to maintain it. He states the project will be planned in four phases, and explains the phases to Mr. Nester. There is discussion of the bidding process and prevailing wage requirements.

The hearing officer asks if conditions need to be modified, particularly #'s 9 and 11. There is discussion to clarify the conditions are consistent with improvements to TR 2381.

Mr. Nester asks for clarification on fees. There is discussion with Mr. Ramey of Public Works. There is discussion of a possible agreement being made between Mr. Nester and Public Works regarding any project fees.

The Hearing Officer states a condition needs to be added regarding the fees so the applicant will be more comfortable with any requirements.

Mr. Ramey reviews conditions 9 and 11 relating to fees and reimbursement for in-kind improvements. There is discussion.

Ms. Nall discusses the height requirements in the rules of the Black Lake Specific Plan that specifically states a height limitation of one story. Plan drawings are presented for review. There is discussion of the current height, and the possibility of lowering the ceiling height to meet the height requirements of the Black Lake Specific Plan.

Richard Herman, architect, cites his concerns with the retention basin and who will maintain it and be responsible for it once the project is complete.

Ms. Nall refers to plan drawing for review. There is further discussion.

Mr. Herman asks about the 35 foot height of the proposed market building. Asks about the retaining wall height and whether it can be built taller to hide the proposed building. Mr. Nester indicates there were some prior changes to include a notching affect to the retaining wall. States he spoke to everyone in the subdivision informing them of what is proposed and everyone initially had to acknowledge all steps to be taken on the project, specifically on lot 21.

Ms. Nall states the concerns of the Black Lake Village Management Association have been resolved, including landscaping. There is discussion of condition 33.

Hearing officer asks about set-backs and clarification from staff.

Ms. Nall explains it is in a Recreation zoned area. Copies of the plan drawings are distributed for review.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A, Findings A through F in Exhibit C, subject to Conditions 1 through 11 in Exhibit B, and subject to Conditions 1 through 38 in Exhibit D with changes to Condition 9 to read: **“In accordance with the reimbursement agreement in Condition 11 below, roads and/or street to be constructed to the following standards:...”; with the addition of the word “proposed” at the beginning of Condition 9a; with the addition of the word “proposed” before Willow Road in Condition 10; and with changes to Condition 12a to read: “For future road improvements to proposed Willow Road realignment as shown on the tentative map TR 2381.”** (Document No. 2006-250)

11. This being the time set for hearing to consider a request by **TERRIE STROM** for a Minor Use Permit to allow modification of the size of a secondary dwelling from 800 square feet to 1,200 square feet on a 2.5 acre parcel. The Minor Use Permit is also to allow modification of the limitation on the maximum distance requirement of a secondary dwelling from a primary dwelling from 50 feet to approximately 210 feet. The proposed project is within the Residential Suburban land use category and is located on the north side of Callender Road, accessed via a private easement (at 415 Victory Way), approximately two miles northwest of the community of Nipomo. The site is in the South County (Inland) planning area. This project is exempt under CEQA.

County File No: DRC2005-00099

Assessor Parcel Number: 091,162,012

Supervisory District 4

Date Accepted: February 9, 2006

Stephanie Fuhs, Project Manager

MINUTES:

Hearing Officer: John Euphrat

Others: Terrie Strom, applicant.

Thereafter, on motion of the hearing officer, the Minor Use Permit is approved based on Findings A through H in Exhibit A and subject to Conditions 1 through 18 in Exhibit B. (Document No. 2006-251)

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings